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CERTIFICATE OF MAILING UNDER 37 C.F.R. §1.8

I hereby certify that this correspondence is being deposited with the United States Postal Service as first class mail, with sufficient postage, in an envelope addressed to: Commissioner for Patents, P. O. Box 1450, Alexandria, VA 22313-1450, on the below date:  
Date: May 4, 2006 Name: Steven P. Shurtz Signature: /Steven P. Shurtz/

BRINKS  
HOFFER  
GILSON  
& LIONE

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Appln. of: JOHN LEAHEY

Appln. No.: 10/755,980

Filed: January 13, 2004

For: BACTERIAL RETENTIVE, AIR  
VENTING, INTRAVENOUS FILTER

Attorney Docket No: 396/488

Examiner: Douglas J. Theisen

Art Unit: 1724

Mail Stop Amendment  
Commissioner for Patents  
P. O. Box 1450  
Alexandria, VA 22313-1450

TRANSMITTAL

Sir:

Attached is/are:

- ☒ Second Substitute Amendment.  
☒ Return Receipt Postcard

Fee calculation:

- ☒ No additional fee is required.  
☐ Small Entity.  
☐ An extension fee in an amount of \$\_\_\_\_\_ for a \_\_\_\_\_-month extension of time under 37 C.F.R. § 1.136(a).  
☐ A petition or processing fee in an amount of \$\_\_\_\_\_ under 37 C.F.R. § 1.17(\_\_\_\_).  
☐ An additional filing fee has been calculated as shown below:

					Small Entity			Not a Small Entity	
	Claims Remaining After Amendment		Highest No. Previously Paid For	Present Extra	Rate	Add'l Fee	or	Rate	Add'l Fee
Total	21	Minus	21	0	x \$25=			x \$50=	
Indep.	7	Minus	7	0	x 100=			x \$200=	
First Presentation of Multiple Dep. Claim					+\$180=			+\$360=	
					Total	\$		Total	\$

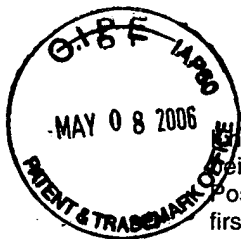
Fee payment:

- ☐ A check in the amount of \$\_\_\_\_\_ is enclosed.  
☐ Please charge Deposit Account No. 23-1925 in the amount of \$\_\_\_\_\_. A copy of this Transmittal is enclosed for this purpose.  
☒ Payment for additional claims was made with the February 21, 2006 submission. No further fee payment is believed necessary.  
☒ The Director is hereby authorized to charge payment of any additional filing fees required under 37 CFR § 1.16 and any patent application processing fees under 37 CFR § 1.17 associated with this paper (including any extension fee required to ensure that this paper is timely filed), or to credit any overpayment, to Deposit Account No. 23-1925.

Respectfully submitted,

May 4, 2006  
Date

/Steven P. Shurtz/  
Steven P. Shurtz (Reg. No. 31,424)



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Commissioner for Patents

P.O. Box 1450

Alexandria, VA 22313

on May 4, 2006

Date of Deposit

Steven P. Shurtz

Name of applicant, assignee or  
Registered Representative

/Steven P. Shurtz/

Signature

May 4, 2006

Date of Signature

Case No. 396/488

## IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of: John Leahey

Serial No: 10/755,980

Examiner: Douglas J. Theisen

Filed: January 13, 2004

Group Art Unit: 1724

For: BACTERIAL RETENTIVE, AIR  
VENTING, INTRAVENOUS FILTER

## SECOND SUBSTITUTE AMENDMENT

Mail Stop: Amendment  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, Virginia 22313-1450

Dear Sir:

In response to the Office Action mailed November 21, 2005, and in response to the Notice of Non-compliant Amendment mailed April 19, 2006, please enter the following amendment and consider the following remarks.

Amendments to the Specification begin on page 2 of this paper.

Amendments to the Abstract begin on page 5 of this paper.

Amendments to the Claims begin on page 6 of this paper.

Remarks begin on page 14 of this paper.

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